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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/602,525	06/13/2000	W. R. Hugh Fife	GECA 3194	8521

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EXAMINER

GONZALEZ, JULIO C

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/602,525

Applicant(s)

FIFE, W. R. HUGH

Examiner

Julio C. Gonzalez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-22 and 24-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-22 and 24-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The following title is suggested: Bracket assembly having plurality of plates for a dynamoelectric machine.

Claim Objections

3. Claim 20 is objected to because of the following informalities: the claim should refer to one intermediate end *plate* instead of “one intermediate end”.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-9, 11-22 and 24-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 14, it is not clear how the first support plate extends from the first end plate to the second end plate. From the figure 3, it may be seen as if the first support plate 54 extends from the first end plate 48 to first intermediate end plate 56, not second end plate 50, as disclosed in claims 1 and 14.

In claims 8 and 21, what is meant by the first support plate comprising a semi-annular plate? Are the first support plate and the semi-annular plate different plates? Same plates? It is not clear from figure 3, which part of the first support plate 54 is the semi-annular plate. Is the annular-plate part of the support member 46?

In order to advance prosecution in the merits, the Prior Art will be applied as best understood by the examiner.

Claim Rejections - 35 USC § 102

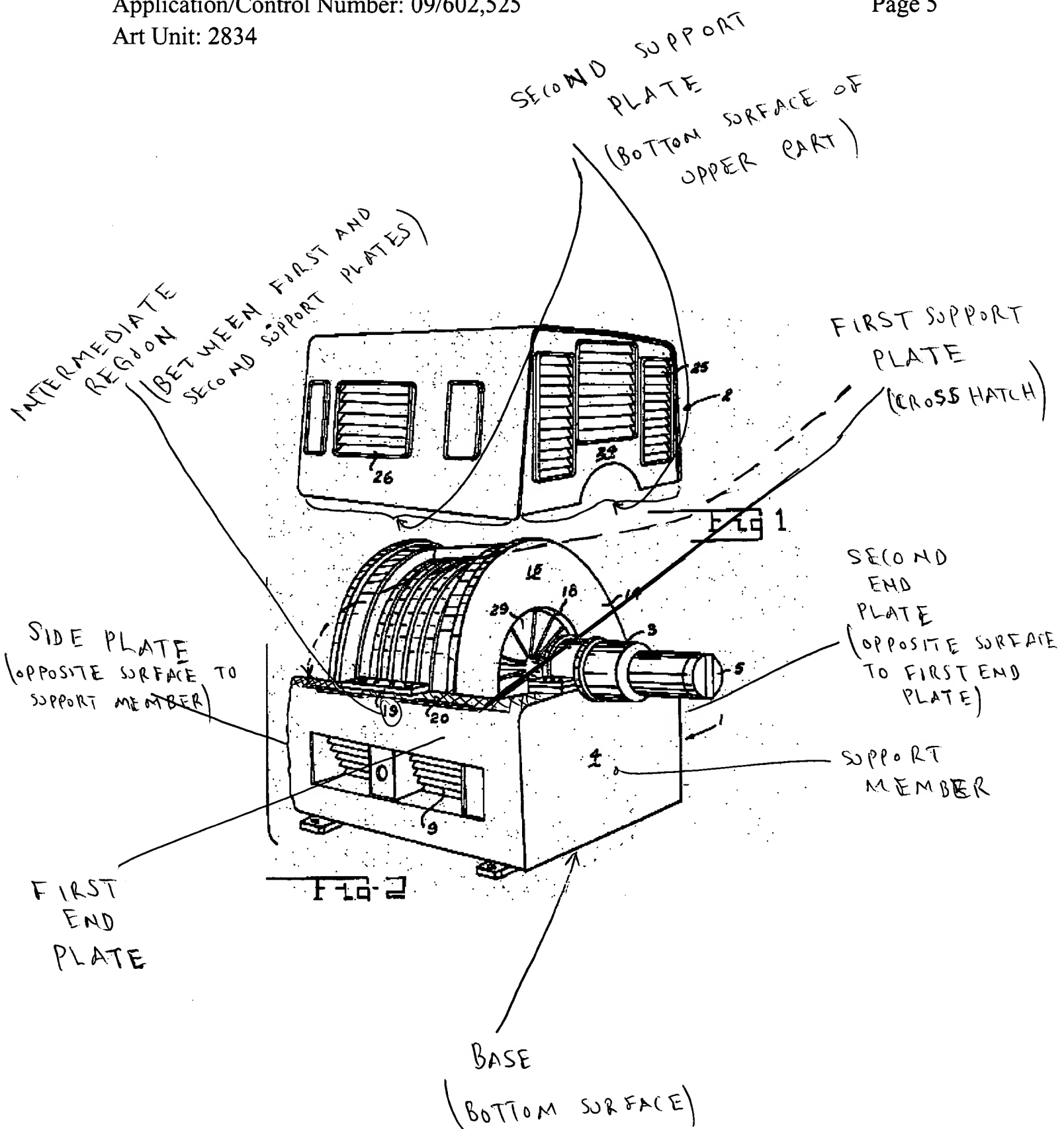
6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

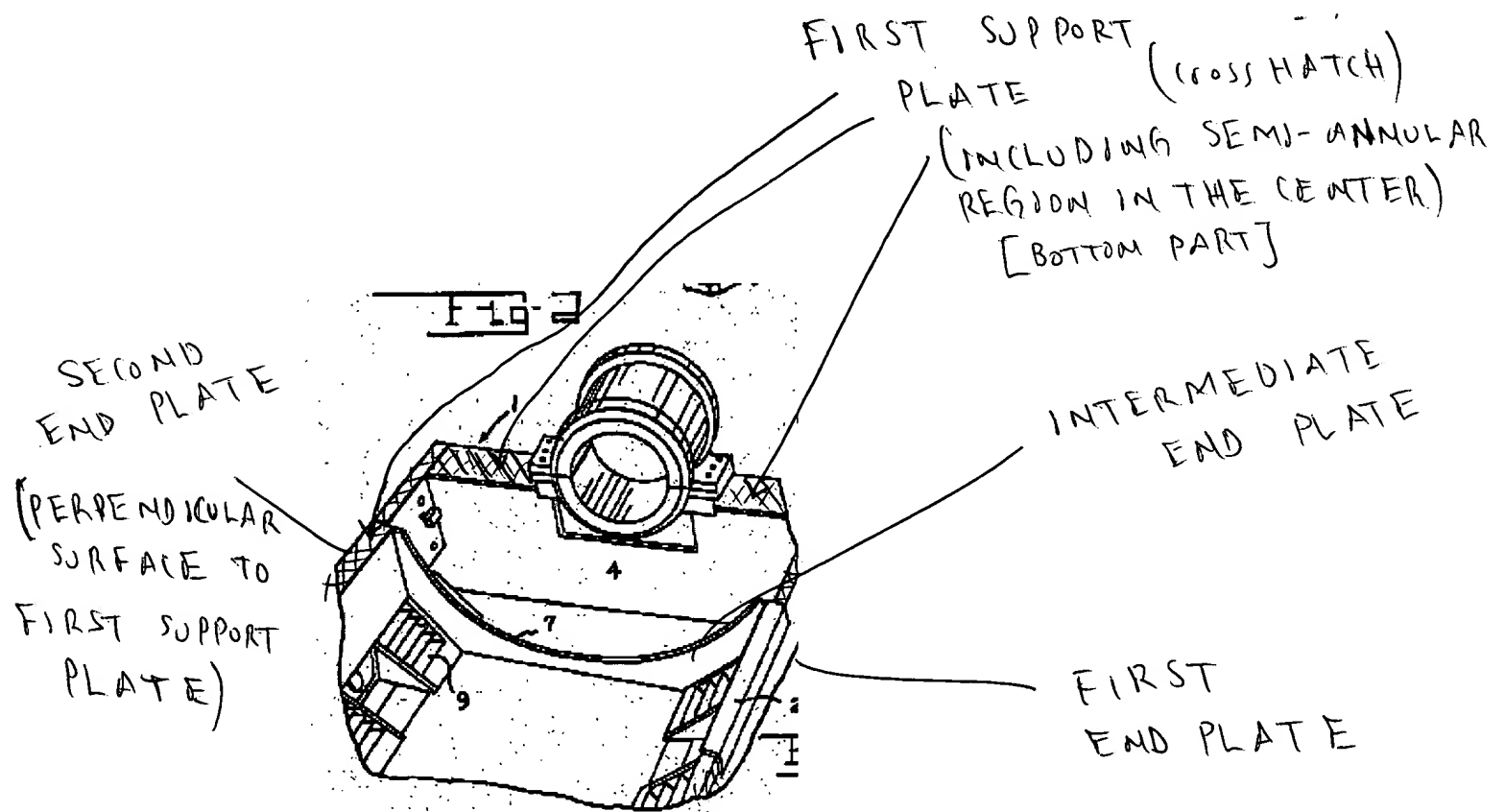
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5, 8, 9, 11, 12, 14-19, 21, 22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Michel et al (US 3,114,061).

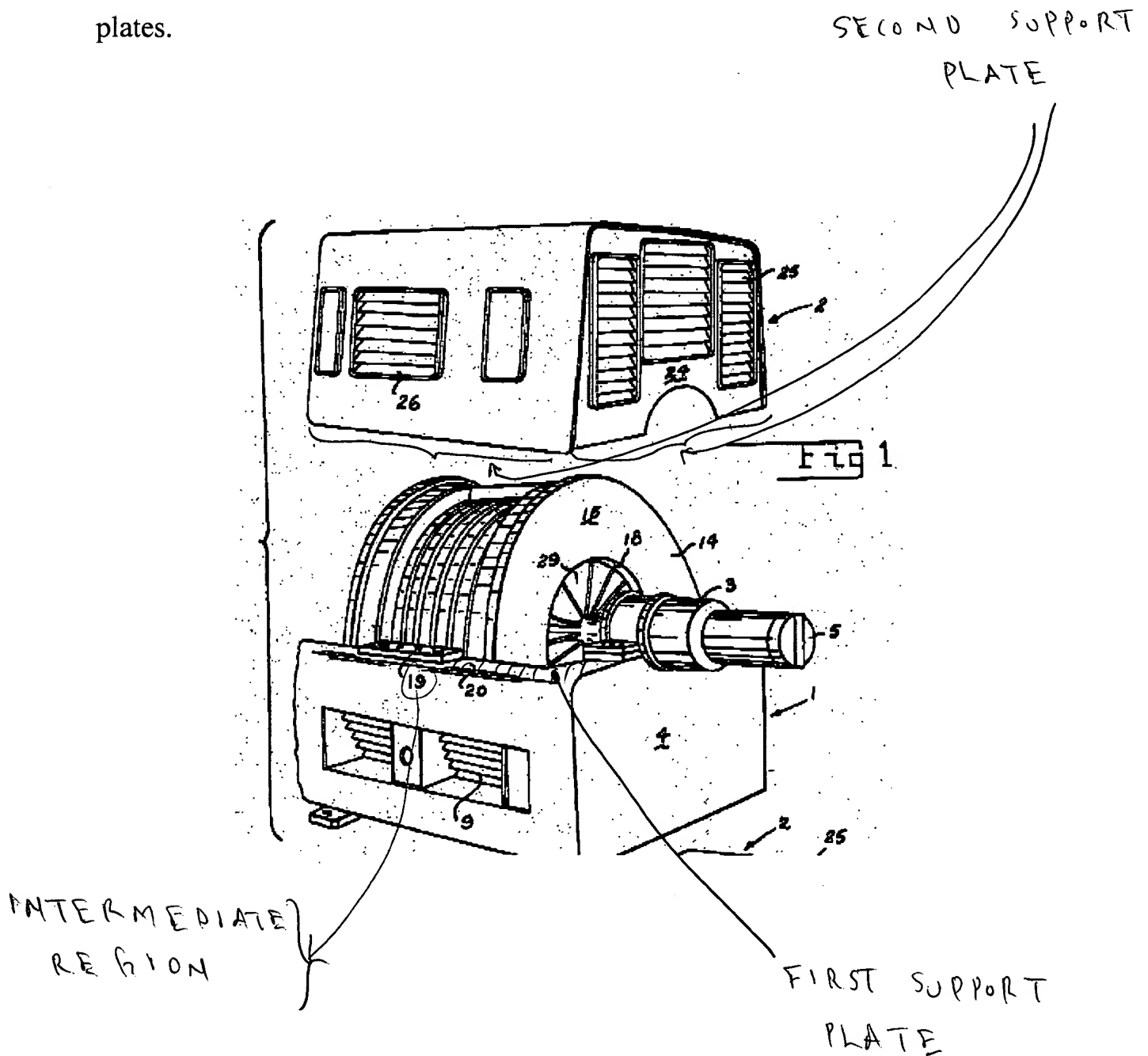
Michel et al discloses a bracket assembly, a stator 10 disposed in the frame, a rotor having shaft 5 within stator 14 (see figure 3), a bearing assembly (see figure 2) for supporting shaft 5 and a bracket assembly having a base (see figure 2), a support member 4, a first end plate and second end plate extending from base, support member 4 extending from base between first and second end plate and the first support plate extending from the first end plate to the second end plate and extending from the support member to a side plate and the support member connected to the first support plate form an enclosure and the side plate extends from the base plate to the first support plate (see illustration of figures 1 & 2 below/next pages).



Moreover, Michel et al discloses that the base and first support plate are planar and parallel to each other. Also, an intermediate end plate 7 is disclosed located between first end plate and second end plate (see illustration of figure 2 below).



Also, there is disclose a plurality of support plates (bottom and top part of figure 1) and an intermediate region 19 extends between first and second support plates.



Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

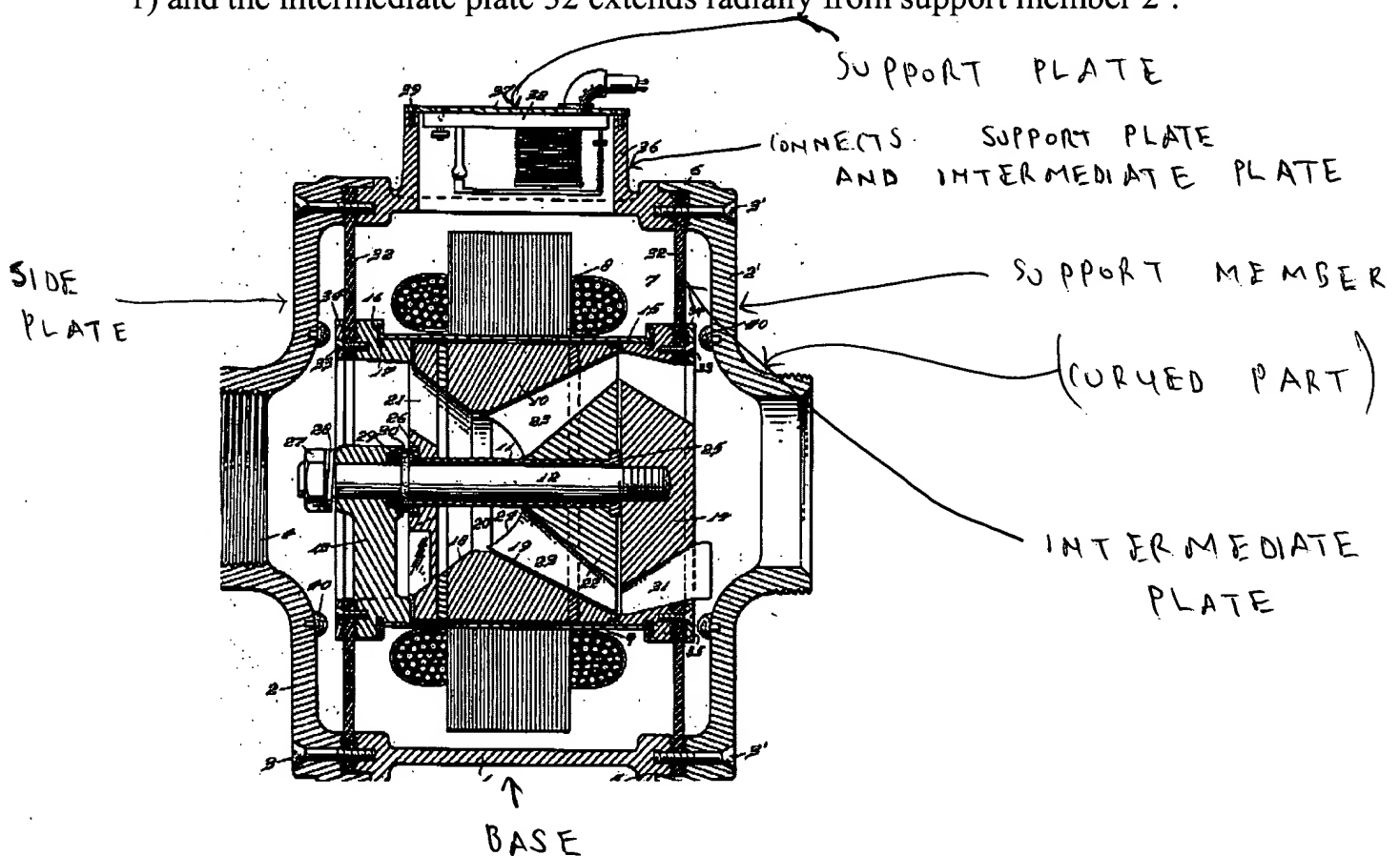
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6, 7, 20, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michel et al (US 3,114,061) in view of Pezzillo (US 2,312,848).

Michel et al discloses a bracket assembly, a stator 10 disposed in the frame, a rotor having shaft 5 within stator 14 (see figure 3), a bearing assembly (see figure 2) for supporting shaft 5 and a bracket assembly having a base (see figure 2), a support member 4, a first end plate and second end plate extending from base, support member 4 extending from base between first and second end plate and the first support plate extending from the first end plate to the second end plate and extending from the support member to a side plate and the support member connected to the first support plate form an enclosure and the side plate extends from the base plate to the first support plate

However, Michel et al does not disclose having an intermediate end plate connected to a first support plate.

On the other hand, Pezzillo discloses for the purpose of maximizing the efficiency of electrical machine by reducing vibration, an intermediate plate 32 connected to first support plate 37 and the support member 2' is curved (see figure 1) and the intermediate plate 32 extends radially from support member 2'.



It would have been obvious to one having ordinary skill in the art at the time the invention was made to design the combined bracket assembly as disclosed by Michel et al and to modify the invention by having an intermediate end plate connected to a first support plate for the purpose of maximizing the efficiency of electrical machine by reducing vibration as disclosed by Pezzillo.

Response to Arguments

10. Applicant's arguments with respect to claims 1-9, 11, 12, 14-22 and 24-26 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

11. Claim 13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

With respect to claim 13, the prior art fails to disclose, in combination with all the limitation of the base claim and all the intervening claims that the intermediate region comprises an arc segment.

Conclusion

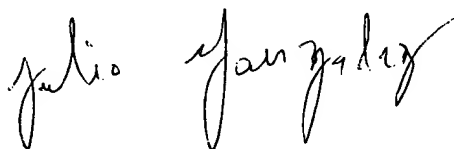
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julio C. Gonzalez whose telephone number is 571-272-2024. The examiner can normally be reached on M-F (8AM-5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jcg

A handwritten signature in cursive script, appearing to read "Julie J. J. J. J.", written in black ink.

October 20, 2004